



Policy: 4051
Procedure: 4051.02
Chapter: Secure Facilities
Rule: Juvenile Mail

Effective: 03/21/07
Replaces: 4050.10
Dated: 03/01/07

Purpose:

Arizona Department of Juvenile Corrections (ADJC) permits uncensored correspondence so long as it poses no threat to the safety and security of the facility, public officials, or the general public and is not being used in the furtherance of illegal activities. All letters and publications shall be processed within 24 hours of receipt, excluding weekends and holidays. All packages shall be processed within 48 hours of receipt, excluding weekends and holidays.

Rules:

1. Only **ADJC DESIGNATED EMPLOYEES** shall be responsible for the distribution of all US mail. The **SECURE FACILITY SUPERINTENDENT** shall ensure the designated employees are provided with appropriate protective equipment which shall include respiratory masks, if requested. The **DESIGNATED EMPLOYEES** shall:
 - a. Physically observe any incoming mail or packages for threats;
 - b. Take caution in the event incoming mail or packages display the following:
 - i. Mail is unexpected from an unknown individual;
 - ii. Mail is addressed to someone who is no longer employed;
 - iii. Mail is of unusual weight for the size of the package;
 - iv. Mail that is marked "Confidential or Personal";
 - v. Mail that has no return address;
 - vi. Mail that shows a city or state post mark that does not match the return address;
 - vii. Mail that is excessively sealed or taped;
 - viii. Mail or packages that have wires protruding from them;
 - ix. Packages that are lopsided or oddly shaped.
2. **EMPLOYEES** responsible for opening mail for their respective work areas shall wear approved latex gloves while handling all mail, to include washing their hands immediately at the conclusion of their assignment. **EMPLOYEES** who discover mail/package to be of a suspicious nature shall:
 - a. Not move, open, shake, or smell the article;
 - b. Isolate the parcel and the immediate affected area;
 - c. Contact Security and Inspections and Investigations Division (IID) immediately;
 - d. Evacuate the immediate area when directed.
3. **Incoming Juvenile Mail:**
 - a. **NO FEWER THAN TWO ADJC DESIGNATED EMPLOYEES** shall inspect all incoming juvenile mail which includes packages. The inspection shall consist of:
 - i. Opening the mail and checking for contraband;
 - ii. Removing the stamp;
 - iii. Removing contraband items:
 - (1) **Illegal/Dangerous Contraband** - Items prohibited by ARS §13-2501.
 - (a) Dangerous drugs;
 - (b) Narcotic drugs;
 - (c) Intoxicating liquor of any kind;
 - (d) Deadly weapon;
 - (e) Dangerous instrument;
 - (f) Explosive; or
 - (g) Any other article whose use or possession would endanger the safety, security, or preservation of order in a correctional institution or any person therein.
 - (2) **Nuisance Contraband** - All items not approved by established policy and procedure for possession, including, but not limited to, the following:
 - (a) Items which can be used, made, or adapted to use as a weapon;

- (b) Pictures or drawings which depict male or female nudity or sexual acts including magazines or periodicals;
 - (c) Items such as posters, clothing with slogans, mottos, or emblems which are obscene, advocate illegal or immoral conduct, hold individuals or groups to ridicule, or reinforce values of a delinquent sub-culture;
 - (d) Money;
 - (e) Anything in excess of the approved allotment of clothing or personal belongings listed in Procedure 4042.01, unless approved by the Superintendent;
 - (f) Any item which can be used to threaten the orderly operation of a secure facility;
 - (g) Any food item not approved in writing by the superintendent;
 - (h) Tobacco or any accessory used for tobacco substances, including chewing tobacco products.
- iv. Securing and reporting items suspected to be illegal to the secure facility Superintendent and/or designee and to Inspections and Investigations Division (IID).
 - (1) **IID** shall take possession of and secure or dispose of the evidence suspected to be illegal.
- v. Showing the item was inspected the **EMPLOYEES** shall:
 - (1) Reseal the envelope/package with ADJC issued tape;
 - (2) Sign the tape with their initials; and
 - (3) Date/time stamp the mail.
- b. Anytime anything is withheld from the juvenile's mail, the **EMPLOYEES** shall:
 - (1) Complete an Incident Report documenting:
 - (a) What was taken;
 - (b) Why it was taken; and
 - (c) What happened to the item(s).
- c. The Housing Unit Manager when completing the follow-up on the Incident Report:
 - i. Shall notify the juvenile concerning what items were removed from his/her mail and how the items were handled in accordance with Policy 2301 Youth Rights;
 - ii. Document on the follow-up that the juvenile was notified.
- d. **EMPLOYEES** shall remove nuisance contraband items (that are not illegal) in the following manner:
 - i. The **EMPLOYEES** shall store items in the juvenile's box located in the facility's property room until the juvenile's departure or until a **YOUTH CORRECTIONS OFFICER (YCO) AND/OR DESIGNEE** gives the item(s) to the juvenile's parent(s)/guardian(s) at visitation;
 - ii. **HOUSING UNIT EMPLOYEES** shall handle any other items in accordance with the Procedure 4002.04 Juvenile Property Inventory.
- e. If a money order and/or cash is found in the mail, both **EMPLOYEES** shall:
 - i. Place it in an envelope:
 - (1) Sealing it; and
 - (2) Initialing it.
 - ii. Complete a receipt indicating the dollar amount found.
 - (1) Staple the original copy of the receipt to the envelope that has the money; and
 - (2) Attach the carbon copy to the juvenile's mail.
 - iii. Place the sealed envelope in the designated secure locked drop box.
 - (1) Other designated business personnel shall have the key to the drop box.
 - (2) The **DESIGNATED BUSINESS EMPLOYEE** shall then remove the envelope from the drop box and place the monies in the specified juvenile's account.
- f. **HOUSING UNIT EMPLOYEES** shall discourage any juvenile from receiving any cash through the mail.
- g. The **EMPLOYEES** shall:
 - i. Open and inspect any mail that has gang graffiti on the outside of the envelope;
 - ii. Handle the mail as contraband in the previously mentioned manner.
- h. **EMPLOYEES** shall not open or read incoming mail from Attorneys, but feel it for contraband and remove the stamp:
 - i. When the **EMPLOYEES** notice anything suspicious about the specific letter such as appearance, shape, or odor, **THEY** shall arrange for the particular juvenile to be present

during its inspection in accordance with American Correctional Association (ACA) Standard 3-JTS-5H-04;

- ii. If illegal contraband is found, the **EMPLOYEES** shall seize the mail as evidence and process it as mentioned above;
 - i. **EMPLOYEES** shall return any sweepstakes or contest materials that are not sanctioned by ADJC;
 - j. **DESIGNATED EMPLOYEES** shall distribute all processed juvenile mail to the housing unit mail boxes;
 - k. Upon arriving at the facility, **HOUSING UNIT 2ND/3RD SHIFT EMPLOYEES** shall collect all incoming mail from the unit distribution box in the administration building and take the mail to the unit;
 - l. **HOUSING UNIT 3RD SHIFT EMPLOYEES** shall ensure that all incoming mail including packages are logged in the appropriate juvenile's mail log prior to distribution to the juveniles.
 - i. The **JUVENILE** shall initial that s/he received the package;
 - ii. **HOUSING UNIT EMPLOYEES** shall add the juvenile property to the juvenile's inventory list.
4. Outgoing Mail:
- a. **HOUSING UNIT EMPLOYEES** shall receive outgoing mail from the juvenile at any reasonable time during the shift. At that time the **HOUSING UNIT EMPLOYEE** shall:
 - i. Briefly scan/examine the letter;
 - ii. Return any envelope that has any writing other than the address and the return secure facility address to the juvenile for placement by the juvenile in a new envelope;
 - iii. Seal the appropriate envelope; and
 - iv. Initial the lower right corner of the envelope in front of the juvenile.
 - b. **JUVENILES** may send letters to and receive letters from individuals of their choice with the exception of the following criteria:
 - i. Any person who is or has been detained or incarcerated in any correctional facility, institution, or agency except for immediate family members;
 - (1) **JUVENILES** who wish to send mail to other offenders or formers offenders in ADJC, ADC or other Adult Facilities shall first obtain approval from the secure facility Superintendent who shall contact the appropriate personnel prior to granting such approval.
 - ii. Any person on probation or parole:
 - (1) **JUVENILES** who wish to send mail to other offenders on probation or parole shall first obtain approval from the secure facility Superintendent who shall contact the appropriate personnel prior to granting such approval.
 - iii. Any minor whose parents/guardian have requested their minor enter into no correspondence with ADJC juvenile;
 - iv. The victims of any crime for which the juvenile was adjudicated, or their victims' families, unless approved by the Superintendent;
 - v. Any victim or family of a victim who has expressed a desire not to receive correspondence from the juvenile, in accordance with [ARS §8-392.01](#);
 - (1) The **VICTIM'S RIGHTS OFFICE PERSONNEL OR ANY OTHER EMPLOYEE**, that receives a victim's request not to receive mail from an ADJC juvenile, shall provide notification of this request completing Form 4051.02A Prohibited Correspondence to the following:
 - (a) Assigned Youth Program Officer III (YPO III) if the juvenile is in secure care;
 - (b) Parole Officer if the juvenile is under community supervision.
 - (2) The **YPO III OR PAROLE OFFICER** shall:
 - (a) Notify the juvenile of the victim's request as required by ARS §8-392.01 and obtain his/her signature to acknowledge that contact with the victim is prohibited on Form 4051.02A Prohibited Correspondence;
 - (b) Witness and/or document the juvenile's refusal to sign;
 - (c) Send copies of this documentation to the juvenile, Parole Officer, Case Manager, Victim's Rights Office, and juvenile's Field (Master) and Central Office files;

- (d) Post an ongoing and current list of restricted victims in the mail log book if juvenile is at a secure facility;
 - (e) Give appropriate sanctions to the juvenile who corresponds with restricted victims with whom s/he is prohibited from contacting as specified by Form 4051.02A Prohibited Correspondence;
 - (f) Document the infraction and subsequent sanction in an Incident Report;
 - (g) Disperse the Incident Report in accordance with Procedure 1190.01 Incident Reporting and to the Victim's Rights Office.
 - vi. Any person with whom the juvenile is forbidden by court order to have contact;
 - vii. Any person who advises the Superintendent in writing that s/he does not wish to receive mail from that juvenile.
 - c. **JUVENILES** may send or receive sealed letters to/from the following individuals or organizations:
 - i. Any judicial court;
 - ii. Juvenile's attorney/Guardian ad litem;
 - iii. Administrators of the grievance system;
 - iv. Juvenile Ombuds;
 - v. Youth Rights Ombuds Administrator;
 - vi. Superintendent;
 - vii. Legal Systems Division Director;
 - viii. ADJC Director;
 - ix. Governor or his/her representative.
 - d. **EMPLOYEES** shall feel the sealed letters to and from the above specified class of people or organizations for contraband only. When the **EMPLOYEES** notice anything suspicious about the specific letter such as appearance, shape, or odor, **THEY** shall arrange for the particular juvenile to be present during its inspection in accordance with American Correctional Association (ACA) Standard 3-JTS-5H-04;
 - e. **ADJC** shall provide postage for up to three letters per week for each juvenile. Juveniles may send more than three letters if they provide the postage;
 - f. **HOUSING UNIT EMPLOYEES** shall ensure that all mail written during the 1st and 2nd shifts is forwarded to the 3rd shift employee for proper logging and mailing:
 - i. The **3RD SHIFT EMPLOYEE** shall maintain an accurate mail log book to ensure that each juvenile is allowed three outgoing letters per week for which ADJC provides the postage;
 - ii. The **3RD SHIFT EMPLOYEE** shall ensure that the outgoing mail is placed in the outgoing mail slot located in the Administration building within eight hours of its receipt.
5. **Screening Juveniles' Mail:**
- a. When an **EMPLOYEE** has concerns about a juvenile's incoming or outgoing mail relating to the safety of the secure facility, **S/HE** shall document the concerns in a confidential Incident Report and send it through the facility administrator to the IID. Some of the concerns may be the following:
 - i. A recipient of correspondence from the juvenile has filed a complaint;
 - ii. Current or past juvenile behavior causes the observing employee to suspect the juvenile is communicating information that poses a direct, immediate threat, or that could create a clear danger of violence and physical harm to a person(s) inside or outside a facility or that concerns:
 - (1) Threats of blackmail or extortion;
 - (2) Sending or receiving contraband;
 - (3) Plans to escape or assist in an escape from lawful custody;
 - (4) Plans for illegal activities;
 - (5) Plans for activities that violate or circumvent written instructions including Policies, Procedures, or juvenile behavior rules;
 - (6) Activities, threats, or plans that would impede the rehabilitation of the juvenile.
 - b. When initiated as a result of an IID investigation upon reasonable belief of commission of a crime or violation of a court order, **IID** may request to screen an item of a juvenile's incoming or outgoing mail.

Procedure No. 4051.02 Juvenile Mail

Page 5 of 5

- c. When the juvenile has been identified by ADJC as an adjudicated sex offender, the **HOUSING UNIT MANAGER (YPS)** shall read and inspect the juvenile's incoming and outgoing mail within 48 hours for:
 - i. Attempted contact with known victims or their families;
 - ii. Third party victim contact;
 - iii. Photographs of known victims and children under the age of 16; and
 - iv. Furtherance of illegal sexual activities.
 - d. ADJC Personnel shall:
 - i. Maintain the confidentiality of the information obtained;
 - ii. Disclose the information only if required to do so by statute or to the Multidisciplinary Team for treatment purposes.
6. **THE JUVENILE WHOSE MAIL IS WITHHELD IN PART OR IN FULL** may appeal the decision in accordance with the Procedure 2307.01 Juvenile Grievance.

Effective Date:	Approved by Process Owner:	Review Date:	Reviewed By:
03/20/2007	John Dempsey		